

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**KEITH STANLEY BROWN,**  
**Petitioner,**

**CIVIL ACTION**

**v.**

**TABB BICKELL,**  
**THE DISTRICT ATTORNEY OF THE**  
**COUNTY OF PHILADELPHIA, and**  
**THE ATTORNEY GENERAL OF THE**  
**STATE OF PENNSYLVANIA,**  
**Respondents.**

**NO. 12-2400**

**ORDER**

**AND NOW**, this 12th day of November, 2014, upon consideration of Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody filed by petitioner, Keith Stanley Brown (Document No. 1, filed May 3, 2012), Petitioner's Memorandum in Support of Habeas Corpus Petitioner (Document No. 5, filed August 11, 2012), Response in Opposition to Petition for Writ of Habeas Corpus (Document No. 11, filed March 15, 2013), Respondents' Supplemental Memorandum of Law (Document No. 17, filed June 9, 2014), the record in this case, the Report and Recommendation of United States Magistrate Judge Timothy R. Rice (Document No. 19, filed June 20, 2014), and Petitioner's Objections to the Magistrate's Report and Recommendation (Document No. 20, filed July 1, 2014), for the reasons set forth in the attached Memorandum dated November 12, 2014, **IT IS ORDERED** as follows:

1. The Report and Recommendation of United States Magistrate Judge Timothy R. Rice filed June 20, 2014, is **APPROVED AND ADOPTED**;
2. Petitioner's Objections to the Magistrate's Report and Recommendation, are **OVERRULED**;

3. The Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody filed by petitioner, Keith Stanley Brown, is **DENIED AND DISMISSED**;

4. A certificate of appealability will not issue because reasonable jurists would not debate whether (a) the petition states a valid claim of the denial of a constitutional right or (b) this Court's procedural rulings with respect to petitioner's claims were erroneous. See 28 U.S.C. § 2253(c)(2); Slack v. McDaniel, 529 U.S. 473, 484 (2000); and,

5. The Clerk of the Court shall mark this case **CLOSED**.

**BY THE COURT:**

**/s/ Hon. Jan E. DuBois**

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**DuBOIS, JAN E., J.**